



## **Order under Section 69 Residential Tenancies Act, 2006**

**File Number:** LTB-L-087829-25

**In the matter of:** 20B, 67 CAROLINE ST S  
HAMILTON ON L8P3K6

**Between:** Inam Mohammad Landlords  
Ali Mohammad

**And**

Timothy McKenzie Tenant

Inam Mohammad and Ali Mohammad (the 'Landlords') applied for an order to terminate the tenancy and evict Timothy McKenzie (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 8, 2026.

Only the Landlord's Agent Karen Anne Shaver attended the hearing.

As of 1:41 p.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlords' evidence.

### **Determinations:**

1. At the hearing, I found that the Notice of Termination for Non-Payment of Rent (N4) relied upon by the Landlord is invalid. The notice incorrectly identified the October 2025 rental period, misstated the lawful monthly rent, and failed to account for a payment made by the Tenant that was applied to the rental period referenced in the notice. As a result, the N4 does not accurately set out the rent arrears alleged to be owing and cannot support a termination of the tenancy.
2. In light of this finding, the Landlord was advised that the application could not proceed on the basis of termination of the tenancy for non-payment of rent. The Landlord, through their representative, elected to proceed with the application seeking an order for rent arrears only.
3. I accepted the Landlord's request. Accordingly, the Landlord's request to terminate the tenancy based on rent arrears for the periods claimed in the application is dismissed. The hearing proceeded solely with respect to the Landlord's claim for arrears of rent.
4. As of the hearing date, the Tenant was still in possession of the rental unit.

5. The Tenant did not pay the total rent they were required to pay for the period from September 1, 2025, to January 31, 2026.
6. The lawful rent is \$2,600.00. It is due on the 1st day of each month.
7. The Tenant has not made any payments since the application was filed.
8. The rent arrears owing to January 31, 2026, are \$13,000.00.
9. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

**It is ordered that:**

1. The Tenant shall pay to the Landlords \$13,186.00. This amount includes rent arrears owing up to January 31, 2026, and the cost of the application.
2. If the Tenant does not pay the Landlords the full amount owing on or before February 17, 2026, the Tenant will start to owe interest. This will be simple interest calculated from February 18, 2026, at 4.00% annually on the balance outstanding.

**February 6, 2026**  
**Date Issued**

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Kyle Anderson  
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor  
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on July 28, 2026, if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.

**Schedule 1**  
**SUMMARY OF CALCULATIONS**

**A. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before January 27, 2026**

|                                                          |                    |
|----------------------------------------------------------|--------------------|
| Rent Owing To January 31, 2026                           | \$13,000.00        |
| Application Filing Fee                                   | \$186.00           |
| <b>Total the Tenant must pay to continue the tenancy</b> | <b>\$13,186.00</b> |

**B. Amount the Tenant must pay if the tenancy is terminated**

|                                                                                                                     |                      |
|---------------------------------------------------------------------------------------------------------------------|----------------------|
| Rent Owing To Hearing Date                                                                                          | \$11,083.84          |
| Application Filing Fee                                                                                              | \$186.00             |
| <b>Total amount owing to the Landlords</b>                                                                          | <b>\$11,269.84</b>   |
| Plus daily compensation owing for each day of occupation starting January 9, 2026                                   | \$85.48<br>(per day) |
| **Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00. |                      |